

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

RENARD BROOKS JR.,

Petitioner,

v.

PEOPLE OF THE STATE OF
CALIFORNIA,

Respondent.

Case No. 1:22-cv-01414-ADA-EPG-HC

ORDER GRANTING PETITIONER
EXTENSION OF TIME TO FILE
OBJECTIONS TO THE FINDINGS AND
RECOMMENDATION

(ECF No. 12)

Petitioner Renard Brooks Jr. is proceeding *pro se* with a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254.

On January 5, 2023, the Court received a document from Petitioner in which he states that on December 20, 2022, he received the findings and recommendation that was issued on November 28, 2022. (ECF No. 12 at 1.) Petitioner states that he is in Los Angeles County Jail and has been denied access to the law library in addition to having problems procuring paper, copies, pencils, and envelopes due to his indigency. (*Id.* at 2.) Petitioner informs the Court that he wishes to file objections to the findings and recommendation but is unable to do so because of the obstacles outlined above. (*Id.*)

The Court construes the document as a motion for extension of time to file his objections to the findings and recommendation. *See Castro v. United States*, 540 U.S. 375, 381–82 (2003)

(courts may recharacterize a *pro se* motion to “create a better correspondence between the substance of a *pro se* motion’s claim and its underlying legal basis”); Bernhardt v. Los Angeles County, 339 F.3d 920, 925 (9th Cir. 2003) (courts have a duty to construe *pro se* pleadings and motions liberally).

Accordingly, IT IS HEREBY ORDERED that Petitioner is GRANTED **FORTY-FIVE (45) days** from the date of service of this order to file objections to the findings and recommendation.

IT IS SO ORDERED.

Dated: **January 6, 2023**

/s/ Eric P. Grogan
UNITED STATES MAGISTRATE JUDGE